



# UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,667	10/22/2001	Joshua Miles Chase	CIS01-05(3847)	5068

7590 08/17/2005

Barry W. Chapin, Esq.  
CHAPIN & HUANG, L.L.C.  
Westborough Office Park  
1700 West Park Drive  
Westborough, MA 01581

EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
----------	--------------

2152

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8

## Office Action Summary

Application No.

10/029,667

Applicant(s)

CHASE ET AL.

Examiner

Victor Lesniewski

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 19-31, 37 and 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 19-31, 37 and 38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/13/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This application has been examined.
2. Claims 1-13, 19-31, 37, and 38 are pending.

***Election/Restrictions***

3. Acknowledgment is made of the applicant's election without traverse of Group I (claims 1-13, 19-31, 37, and 38) in the reply filed on 5/9/2005. Claims 14-18 and 32-36 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.

***Information Disclosure Statement***

4. The IDS filed 8/13/2004 has been considered.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-12, 19-30, 37, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumenau (U.S. Patent Number 6,505,240).
7. Blumenau disclosed a system for providing different sets of content from a content providing site to content display sites using a plurality of proxy content providing sites.

Art Unit: 2152

Concerning claims 1, 19, 37, and 38, Blumenau uses handoff instructions in order to effectuate content provision from a providing site to a display site. These instructions, or redirection information, are mainly sent from the primary providing site to the proxy providing sites. Thus, Blumenau has not explicitly disclosed providing the redirection information to the requesting device. Instead, Blumenau's primary providing site which intercepts the request, passes instructions directly to other providing sites. However, Blumenau does present ways in which the handoff instructions are transferred to the display sites. The instructions can be transmitted as part of the content data. See column 9, lines 45-59. Although Blumenau's system does not initiate content transfer in this way (content must already be sent to the display site as the instructions are passed with it) it would be a clear extension of his system to further utilize the transferring of handoff information to display sites. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Blumenau by adding the ability to allow the requesting device to access content by providing the redirection information to the requesting device.

8. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a communications device or a computer program product are rejected under the same rationale applied to the described claim.

9. Thereby, Blumenau discloses:

- <Claims 1, 19, 37, and 38>

A method in a communications device for delivering content, the method comprising the steps of: intercepting, from a requesting device, an initial request for initial content accessible from an initial content source (column 4, lines 7-9); in response to intercepting

Art Unit: 2152

the initial request: creating redirection information indicating an identity of secondary content to be accessed by the requesting device in addition to the initial content in the initial request (column 4, lines 9-14; column 6, lines 23-31; and column 7, lines 31-42); and providing the redirection information to the requesting device (column 9, lines 45-49 and obviousness), such that the requesting device accesses both the secondary content from the secondary content source as well as the initial content from the initial content source (column 7, lines 43-53).

- <Claims 2 and 20>

The method of claim 1 further comprising the steps of: transmitting the secondary content to the requesting device from the secondary content source; and transmitting the initial content to the requesting device from the initial content source (column 7, lines 43-53).

- <Claims 3 and 21>

The method of claim 2 wherein the secondary content contains a reference to the identity of the initial content, such that when the requesting device receives the secondary content in response to the step of transmitting the secondary content to the requesting device, the requesting device can invoke the reference to the identity of the initial content in order to access the initial content causing performance of the step of transmitting the initial content to the requesting device (column 9, line 36 through column 10, line 6).

- <Claims 4 and 22>

The method of claim 2 wherein the steps of transmitting the secondary content to the requesting device and transmitting the initial content to the requesting device occur in

relation to each such that the requesting device has concurrent access to the secondary content in addition to the initial content (column 7, lines 43-53).

- <Claims 5 and 23>

The method of claim 1, wherein: the redirection information includes a redirection command operable by the requesting device (column 9, lines 36-49); and wherein the redirection command includes the identity of secondary content causing the requesting device, in response to the step of providing, to access the secondary content from the secondary content source (column 9, lines 25-28).

- <Claims 6 and 24>

The method of claim 5 wherein the redirection command further comprises the identity of the initial content specified by the initial request, such that when the requesting device operates the redirection command, the secondary content source receives the identity of the initial content specified in the redirection command and causes the requesting device to receive the both the secondary content and the initial content (column 9, line 50 through column 10, line 6 where the timing instructions allow primary and secondary content to be related to each other, such as the secondary content being displayed between breaks in the primary content).

- <Claims 7 and 25>

The method of claim 1, wherein: the redirection information comprises a first redirection command operable by the requesting device and including the identity of secondary content and wherein the step of providing includes a first step of providing to provide the first redirection command to the requesting device to allow the requesting device to

access the secondary content from the secondary content source (column 9, lines 8-19); and wherein the redirection information further comprises a second redirection command operable by the requesting device and including the identity of initial content and wherein the step of providing includes a second step of providing to provide the second redirection command to the requesting device to allow the requesting device to access the initial content from the initial content source (column 9, lines 8-19 where multiple handoff instructions to different proxy content providing sites represent a multiplicity of redirection commands).

- <Claims 8 and 26>

The method of claim 7 wherein the communications device performs a step of providing a delay between the first and second steps of providing, such that the requesting device receives the secondary content in response to operating the first redirection command and then receives the initial content in response to operating the second redirection command at a time at least equal to the delay between the first and second steps of providing (column 7, lines 54-63 where the delay is represented by specific timing instructions that allow the primary and secondary content to be synchronized).

- <Claims 9 and 27>

The method of claim 1, wherein: the redirection information includes a framework operable by the requesting device; and wherein the method of providing the redirection information further comprises the steps of: providing the secondary content to the framework such that the requesting device can access the secondary content; and providing the initial content to the framework such that the requesting device can access

the initial content subsequent to accessing the secondary content (column 9, line 50 through column 10, line 9).

- <Claims 10 and 28>

The method of claim 1 wherein the step of creating redirection information comprises the steps of: extracting request criteria from the initial request; and selecting the identity of secondary content based from a plurality of identities of secondary content based upon the request criteria, such that the secondary content accessible by the requesting device is dependant upon the request criteria of the initial request (column 10, lines 10-24).

- <Claims 11 and 29>

The method of claim 10 wherein the secondary content is advertising and wherein the step of extracting and selecting are performed to select secondary content for targeted advertising presentation to the requesting device (column 7, lines 38-42 and column 8, lines 8-17).

- <Claims 12 and 30>

The method of claim 1 further comprising the steps of: detecting an occurrence of a secondary content condition, the secondary content condition indicating a requirement for presentation of secondary content to the requesting device, and in response to detecting an occurrence of a secondary content condition, performing the steps of intercepting, creating redirection information and providing the redirection information to the requesting device, such that the requesting device accesses the secondary content after occurrence of the secondary content condition (column 9, lines 20-49 where the content



condition would be present in a handoff instruction which would then effectuate content provision steps as previously discussed).

Since Blumenau discloses all of the above limitations, claims 1-12, 19-30, 37, and 38 are rejected.

10. Claims 13 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blumenau, as applied above, in view of Shuster (U.S. Patent Number 6,763,379).

11. Blumenau disclosed a system for providing different sets of content from a content providing site to content display sites using a plurality of proxy content providing sites. In an analogous art, Shuster disclosed a system for displaying content to users over a network that utilizes an activity monitor.

12. Concerning claims 13 and 31, Blumenau did not explicitly disclose the secondary content condition as either a detection of a change in root level domains or an elapsed period of time. However, Shuster does state this feature as his system provides a monitoring system for monitoring trigger events and initiates content provisions based on elapsed time measures. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Blumenau by adding the ability for the secondary content condition to be either a detection of a change in root level domains or an elapsed period of time as provided by Shuster. Here the combination satisfies the need for a content provision system that enables providers to tailor the content being provided in accordance with characteristics of anticipated observers. See Blumenau, column 2, lines 23-28.

13. Thereby, the combination of Blumenau and Shuster discloses:

Art Unit: 2152

- <Claims 13 and 31>

The method of claim 12 wherein the secondary content condition is at least one of: i) detection of a change in root level domains between the initial request and former requests; and ii) an elapsed period of time (Shuster, column 2, lines 11-23).

Since the combination of Blumenau and Shuster discloses all of the above limitations, claims 13 and 31 are rejected.

### *Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Merriman et al. (U.S. Patent Number 5,948,061) disclosed a method for targeting the delivery of advertisements over a network.
- Kiraly (U.S. Patent Number 6,249,810) disclosed a method of implementing an Internet radio device for receiving a variety of audio information.
- Cohn et al. (U.S. Patent Number 6,308,202) disclosed a system for targeting information to specific users on a computer network.
- Gupta et al. (U.S. Patent Number 6,487,538) disclosed a method where ISPs or proxies owned by an ISP insert advertisements transmitted from a web host to a client.
- Yedidia et al. (U.S. Patent Number 6,564,243) disclosed a system for injecting external content to a user's client computer engaged in an interactive computer network session.

Art Unit: 2152

- Chang et al. (U.S. Patent Number 6,816,909) disclosed a streaming media player for presenting data synchronized to appear at predetermined time points in a media presentation.

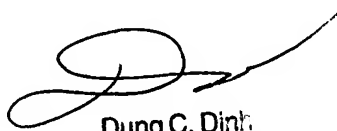
15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor Lesniewski  
Patent Examiner  
Group Art Unit 2152



Dung C. Dinh  
Primary Examiner